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PHILIP MORRIS

INCORPORATED

LAW DEPARTMENT
PATENT SECTION

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March 25, 1981

George A. Depaoli
Depaoli & O'Brien
Suite 1005 - Crystal Mall 1
1911 Jefferson Davis Highway
Arlington, VA 22202

RE: Proposed Patent Application Entitled
Smoking Compositions of Grubbs and Houminer
Your Reference PM 81-2
Our Reference PM 1019

Dear George:

Enclosed is a marked-up copy of the above-noted application. This application has been reviewed by the inventors and their management, and pending revision, should be in condition for filing.

Most of the changes/corrections are minor; however, there is one area that it has caused some concern. See page 5 and the definition of R. Then note last paragraph of page 5. It would appear that R can be heterocyclic, and I don't think that is appropriate in view of our pending USSN 122901, your D&O 79-26. See also the definition of R_4 on page 5 and the broader description on page 6. Is the broader concept of "heteroaromatic" embraced by the claims. In view of the Examples, we may be better off not claiming R_4=heterocyclic. Perhaps we can clarify the situation by phone.

Note that in some instances, the amount of β-hydroxycarboxylate compound applied to tobacco, foodstuffs and the like has been changed both in the text and claims. Also, Dr. Houminer has added additional statements regarding pyrolysis studies for some of the examples.

If any of our suggested changes cause a problem, please call so that we can discuss. We appreciate your fine effort in preparing this application.

Sincerely,

Susan A. Hutcheson

bjd

Enclosure

cc: T. Osdene
T. Sanders
H. Grubbs
Y. Houminer

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